

9130 - PUBLIC COMPLAINTS

Any person or group having a legitimate interest in the operations of this District shall have the right to present a request, suggestion, or complaint concerning District personnel, the program, or the operations of the District. At the same time, the Board of Education has a duty to protect its staff from unnecessary harassment. It is the intent of this policy to provide the means for judging each public complaint in a fair and impartial manner and to seek a remedy where appropriate.

It is the desire of the Board to rectify any misunderstandings between the public and the District by direct discussions of an informal type among the interested parties. It is only when such informal meetings fail to resolve the differences, shall more formal procedures be employed.

Any requests, suggestions, or complaints reaching the Board, Board members, and the administration shall be referred to the Superintendent for consideration according to the following procedure, unless otherwise covered by the terms of a negotiated agreement.

Matters Regarding a Professional Staff Member

A. First Level

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If it is a matter specifically directed toward a professional staff member, the matter must be addressed, initially, to the concerned staff member who shall discuss it promptly with the complainant and make every effort to provide a reasoned explanation or take appropriate action within his/her authority and District administrative guidelines.

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This level does not apply if the matter involves suspected child abuse, substance abuse, or any other serious allegation which may require investigation or inquiry by school officials prior to approaching the professional staff member.

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As appropriate, the staff member shall report the matter and whatever action may have been taken to his/her supervisor.

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B. Second Level

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If the matter cannot be satisfactorily resolved at the First Level, it shall be discussed by the complainant with the staff member's supervisor and in compliance with provisions of a collective bargaining agreement, if applicable.

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C. Third Level

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If a satisfactory solution is not achieved by discussion with the supervisor, a written request for a conference shall be submitted to the Superintendent. This request should include:

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1. the specific nature of the complaint and a brief statement of the facts giving rise to it;
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2. the respect in which it is alleged that the complainant (or child of the complainant) has been affected adversely;

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3. the action which the complainant wishes taken and the reasons why it is felt that such action be taken.

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Should the matter be resolved in conference with the Superintendent, the Board shall be advised of the resolution.

D. Fourth Level

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Should the matter still not be resolved, or if it is one beyond the Superintendent's authority and requires a Board decision or action, the complainant shall request, in writing, a meeting by the Board.

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The Board, after reviewing all material relating to the case, may grant a meeting.

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The complainant shall be advised, in writing, of the Board's decision, no more than ten (10) business days following the meeting. The Board's decision will be final on the matter, and it will not provide a hearing to other complainants on the same issue.

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Matters Regarding an Administrative Staff Member

Since administrators are considered members of the District's professional staff, the general procedure specified in "Matters Regarding a Professional Staff Member" shall be followed.

Matters Regarding the Superintendent or Treasurer

Should the matter be a concern regarding the Superintendent or Treasurer which cannot be resolved through discussion with the Superintendent or Treasurer, the complainant may submit a written request to the Board President for a conference with the Board. This request shall include:

- A. the specific nature of the complaint and a brief statement of the facts giving rise to it;
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- B. the respect in which it is alleged that the complainant (or child of the complainant) has been affected adversely;
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- C. the reason that the matter was not able to be resolved with the Superintendent or Treasurer;
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- D. the action which the complainant wishes taken and the reasons why it is felt that such action should be taken.

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The Board, after reviewing the request, may grant a hearing before the Board, or a committee of the Board, or refer the matter, if permitted by State law, to an executive session.

The complainant shall be advised, in writing, of the Board's decision within thirty (30) business days.

If the complainant contacts an individual Board member to discuss the matter, the Board member shall inform the complainant that s/he has no authority to act in his/her individual capacity and that the complainant must follow the procedure described in this policy.

Matters Regarding a Classified Staff Member

In the case of a classified staff member, the complaint is to be directed, initially, toward the person's supervisor, and the matter then brought as required to higher levels in the same manner as prescribed for "Matters Regarding a Professional Staff Member".

Matters Regarding District Services or Operations

If the request, suggestion, or complaint relates to a matter of District procedure or operation, it should be addressed, initially, to the person in charge and then brought, in turn, to higher levels of authority in the manner prescribed in "Matters Regarding a Professional Staff Member".

Matters Regarding the Educational Program

If the request, suggestion, or complaint relates to a matter of District program, it should be addressed, initially, to the building principal and then brought, in turn, to higher levels of authority in the manner prescribed in "Matters Regarding a Professional Staff Member".

Matters Regarding Instructional Materials

If the request, suggestion, or complaint relates to instructional materials such as textbooks, library books, reference works, and other instructional aids used in the District, the following procedure shall be followed:

- A. The criticism is to be addressed to the principal, in writing, and shall include:
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 1. author;
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 2. title;
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 3. publisher;
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 4. the complainant's familiarity with the material in its entirety objected to;
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 5. sections objected to, by page and item;
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 6. reasons for objection.
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- B. Upon receipt of the information, the principal shall, advise the Superintendent of the complaint.
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The Superintendent shall appoint a review committee and be an ex officio member of the committee.

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- C. The committee, in evaluating the questioned material, shall be guided by the following criteria:
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1. the appropriateness of the material for the age and maturity level of the students with whom it is being used
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 2. the accuracy of the material
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 3. the objectivity of the material
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 4. the use being made of the material
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The material in question may be withdrawn from use pending the committee's recommendation to the Superintendent.

The committee's recommendation shall be reported to the Superintendent in writing within twenty (20) days following the formation of the committee. The Superintendent will advise the complainant, in writing, of the committee's recommendation and advise the Board of the action taken or recommended.

The complainant may appeal this decision, within twenty (20) business days, to the Board through a written request to the Superintendent, who shall forward the request and all written material relating to the matter to the Board.

The Board shall review the case and advise the complainant, in writing, of its decision within ten (10) business days.